

Town of East Gwillimbury Code of Conduct Complaint #220326 – Written Reasons

In accordance with subsection 223.4.1(17) of the Municipal Act, 2001, this serves as the written reasons for my decision on the formal Code of Conduct Complaint (the “Complaint”) dated March 22, 2026, in which Councillor Brian Johns was named as the Respondent (the “Respondent”). After having conducted a preliminary review, I advised the Complainant that I had decided to commence an investigation. On March 23, 2026, I provided the Respondent with Notice of Receipt of Complaint and advised that I had decided to commence an investigation. Following receipt of correspondence from the Respondent’s lawyer that this Office had not provided Notice of a Complaint under the *Municipal Conflict of Interest Act*, on April 6, 2026, I provided the Respondent with an Addendum to the original Notice. I explained that the Complaint Form received by this Office, included a Statutory Declaration requesting a review of the Respondent’s conduct under Sections 5 and 5.1 of the *Municipal Conflict of Interest Act* (the “MCIA”). I explained that since this was not expressly noted in my March 23rd Notice of Receipt, I was adding that clarification in the Addendum. In addition, I advised the Respondent that the Complaint may trigger sections 5.2 or 5.3 of the MCIA, to the extent that the alleged conduct occurred in the Respondent’s role of acting head of council at various times.

Following my initial investigation steps, I have determined that this Complaint does not warrant further investigation. With this report, I set out my reasons for my dismissal in accordance with section 24.1 the Code and that I will not be making an application to a judge under section 8 of the *Municipal Conflict of Interest Act* for a determination as to whether the member has contravened section 5, 5.1, 5.2 or 5.3 of that Act.

Summary of Complaint

The Complaint alleges that:

Councillor Johns, through his employment with Water Ambassadors Canada (WAC) has a professional relationship and pecuniary interest with the developer Rice Group who has business regularly before Council.

1. Mr. Johns compensation from WAC appears to be significant

The WAC website indicates that Mr. Johns is the CEO/COO and one of two employees, separate from a volunteer board (source: www.waterambassadorscanada.org/our-team/).

The Complaint went on to set out details of salaries of full-time employees and Professional and Consulting Fees for WAC in 2023 and 2024. In addition, the Complaint alleged that the Rice Group’s donations to WAC appear to be significant and that WAC relies on their donors to pay staff salaries

The Complaint sets out that Rice Group had business before Council on June 24, 2025. At that time, the Town held a Statutory Public Meeting for a development that included

Rice Group. The Complaint explained that the Respondent spoke to the motion, seconded it and voted on it.

In addition, the Complaint sets out that “[a]s recently as February 10, 2026, [the Respondent] was present for and voted on a Legal and Legislative Services Report and Bylaw pertaining to Rice Group works on Harry Walker Parkway.¹

The Complaint concluded with the allegation that based on information provided by the Complainant, “[the Respondent] takes a significant salary from a company (WAC) that relies solely on donations to pay their staff and that one of the “Major Donors”, as described in their own Annual Report, is a developer (Rice Group) who have had business before Council on multiple occasions, which Councillor Johns has moved, voted on and participated in the deliberations without declaring an Interest. This apparent Conflict of Interest has been commented on by members of the community and it would appear that how Councillor Johns is conducting his private affairs is undermining public confidence with this perceived conflict being spoken about in public spaces.”

Governing framework

Under the MCIA inquiry regime, the Integrity Commissioner may conduct an inquiry into an alleged contravention of sections 5, 5.1, or 5.2. After completing the inquiry, the commissioner may apply to a judge. Under s. 223.4.1(16) and (17) of the *Municipal Act, 2001*, if the Commissioner decides not to apply to a judge, she will advise the Complainant and publish written reasons for the decision.

The East Gwillimbury Code mirrors the structure of the MCIA. It permits MCIA complaints, grants the Integrity Commissioner discretion to refuse a complaint that is frivolous, not made in good faith or without sufficient grounds, or otherwise does not warrant a full investigation. Section 24.1 of the Code sets out that:

the Integrity Commissioner shall not be required to investigate and may summarily dismiss the Complaint. Where this becomes apparent during the course of the investigation or Inquiry, the Integrity Commissioner shall terminate the investigation or Inquiry, as the case may be, and provide notice to the complainant and, if necessary, to the Member.

Code of Conduct and MCIA Rules

Section 2 of the MCIA applies to the circumstance where a Member is in the employment of a person or body that has a pecuniary interest in the matter. The question for the purposes of the present Complaint is whether the Respondent has a pecuniary interest in the matter before Council through his employer, WAC. If WAC has no financial interest in the matter before Council, then the Respondent’s employment relationship creates no pecuniary conflict of interest under the MCIA.

The alleged pecuniary interest must be real, definable, and not hypothetical. Even where

¹ <https://www.youtube.com/watch?v=WRXWpsUc2PI>

a pecuniary interest may exist, section 4(k) exempts an interest that is so remote or insignificant that it cannot reasonably be regarded as likely to influence the member, judged from the standpoint of a reasonable elector fully apprised of the circumstances.

I have also considered whether there is a real or apparent conflict of interest under the Code of Conduct.

Analysis

The Respondent works for WAC. WAC has received donations from Rice Group in the past, in 2023 and 2024. The Complaint alleges that given these circumstances, the Respondent has an indirect pecuniary interest in any matter before East Gwillimbury Council involving Rice Group. In my opinion, the Respondent has no pecuniary interest and I will not apply to a judge.

The question to be asked is whether the Respondent's employer has a pecuniary interest in the specific municipal matter. I have received no evidence that WAC's financial interest is impacted in any way as a result of the matters before Council.

I requested information from the Respondent about the financial ties between WAC and the Rice Group. I find that there is an insufficient link between past Rice Group donations to WAC and any outcome on particular matters before Council. WAC's publicly-available information from its website, identifies the Respondent as a senior executive and lists Rice Group as one of several gift donors. The same annual report refers to "hundreds of monthly donors." I have received information that Rice Group was one donor among a broader donor base and their donation was not a significant portion of WAC's budget. I am satisfied that WAC's continued existence is not tied to the Rice Group's past donations. Salaries of staff could be paid without its past donations.

With respect to the June 24, 2025 East Gwillimbury's planning matter, the materials that I have reviewed confirm that the statutory public meeting stage did not involve any substantive planning decisions. The Town website page for the northwest Green Lane application confirms that a public meeting was held on June 24, 2025 while the application remained under review. The public consultation was unlikely to result in any decisions with a pecuniary impact on Rice Group.

A recent Integrity Commissioner MCIA report² considered an allegation that a Member had ties to a charitable foundation creating a pecuniary interest in a matter before Council. The Integrity Commissioner reasoned that even though the Member was connected to a not-for-profit body, there was no indirect pecuniary interest because the body itself was not acquiring a legal right or financial advantage from the municipal matter. If a body connected to a member is not itself receiving a defined economic advantage from the municipal decision, the allegation that the Member has an indirect pecuniary interest under the MCIA is unlikely to be sustained.

WAC was not the counterparty, beneficiary, or proponent in the Town matters. Finding that the Respondent had an indirect pecuniary interest in the matter would require a determination that Rice Group's donations or future donations to WAC were dependent on the outcome of Rice Group's applications before Council. I have received no evidence

² [950e-2025-12-11-Investigation-Report-WVBIA-MCIA.pdf](#)

to support such a conditional donation.

The fact that a donor to a charity may have business before Council does not, without more, result in the charitable corporation having a pecuniary interest in that municipal matter. If the employer has no pecuniary interest than the Respondent has no pecuniary interest.

For similar reasons, I decline to proceed under the Code of Conduct. The Town's Code requires Members to avoid conflicts of interest, both apparent and real.

I reviewed an Integrity Commissioner report³ that had circumstances which were somewhat similar to the matters before me in this Complaint. In that report, the Integrity Commissioner reviewed the temporal connection between the donation by a developer and the resolution of the development charge issue before Council. This matter was considered only under the Code of Conduct as the report was made in 2016 before integrity commissioners were granted statutory jurisdiction to receive and review MCIAs complaints. The Integrity Commissioner found that the donations were temporally tied to the proposed reduction in the development charges leaving the impression that the reduced development charges were conditional on the charitable donations. The matter before me is distinguishable on a temporal basis. The donations made by the Rice Group to WAC occurred well before the matter before Council. In addition, I have received information that even if the donations had been in closer proximity to the matters subject of Council decisions, the donations to WAC were not significant.

The evidence before me does not establish that the Respondent solicited a donation from Rice Group in his capacity as a Member of Council, handled or controlled any donation, received money personally, promised favourable treatment to Rice Group, or otherwise used the influence of his office for a private advantage. Nor does the available information establish that Rice Group's support for WAC was linked to any undertaking, assurance, or preferential treatment by the Respondent. In the absence of evidence of that nature, I am not satisfied that the Complaint discloses sufficient grounds to continue this investigation.

Accordingly, I have determined that this matter discloses insufficient grounds to warrant further investigation. For these reasons, I have made the decision under s. 24.1 of the Code to conclude the Complaint investigation as it has become apparent that there are insufficient grounds to continue the review.

Decision

I will not apply to a judge under section 8 of the MCIAs for a determination as to whether the Respondent contravened the MCIAs on the dates set out in the Complaint. This decision is limited to the dates set out in this Complaint. The assessment of a conflict of interest must be made on a case-by-case basis. My decision with respect to the circumstances raised in this Complaint does not mean that a subsequent matter before Council or a committee, will be similarly treated.


³ Grimes (Re), 2016 ONMIC 7 (CanLII), <<https://canlii.ca/t/hqgdh3>

Under the MCIA, a Complainant has the right to apply to a judge for a determination of whether the Respondent contravened the MCIA, if such application is commenced within six weeks after receiving this decision.

In accordance with subsection 223.4.1(17) of the *Municipal Act*, I will be publishing these written reasons on the East Gwillimbury Integrity Commissioner webpage.

Thank you for bringing these matters forward to my office.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Suzanne Craig', is positioned above a horizontal line.

Suzanne Craig
Integrity Commissioner